

## REMARKS

Reconsideration of the present application is respectfully requested. Claim 12 has been canceled. Claims 19-21 have been canceled. Claims 1-3, 5-7, 9, 10, 13-15, 17, 18 and 20-22 have been amended. Claims 25-33 are newly added. No new matter has been added.

### Summary of Office Action

Claim 20 stands objected to has been of improper dependent form. Claims 14-17 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 7, 9, 13-18 and 21 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-24 stand rejected under 35 U.S.C. § 102(a) based on U.S. Patent Application Publication no. 2003/0004882 of Holler et al. ("Holler"). The specification stands objected to due to an informality.

### Specification Objection

Paragraph [0041] of the specification has been amended as suggested by the examiner. The objection is therefore believed to be overcome.

### Claim Objection

The preamble of claim 20 has been amended so that claim 20 now properly depends on claim 18. The objection is therefore believed to be overcome.

### Section 112(1) Rejection

Claims 14-17 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The office contends that there is no support in the specification for the limitation in claim 14 of "classifying each of the plurality of files according to file type." Applicants respectfully disagree. Applicants respectfully direct the Examiner's attention to the specification at, for example, paragraphs [0028] and [0043], and Figure 5, block 504 (regarding "Afiles" and "Ifiles"). At least these sections of the present application provide adequate support for the above-mentioned claim limitation. Therefore, withdrawal of the rejection is respectfully requested.

### Section 112(2) Rejection

Claims 7, 9, 13-18 and 21 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite, due to the limitation "dummy installation package". This limitation has been changed in the affected claims to "dummy installation *image*". The rejection is therefore believed to be overcome.

### Section 102 Rejection

Claims 1-24 stand rejected under 35 U.S.C. § 102(a) based on Holler.

In general, the present invention relates to a technique that *converts* a *standardized, non-streamable installation* package, such as an MSI, InstallShield or WISE installation package (see new claims 25, 27, 29 and 31), into a *streamable* installation package, which can be used to configure a client system to execute *the*

*target* software application in a streaming mode. See paragraph [0007] of Applicants' specification for Background. In this regard, it is important not to confuse the *installation* program (or "package") with the *target* software application that it is designed to install. Software streaming is known. The present invention, however, can *convert* *standardized, non-streamable installation software* into a form in which the *installation software itself* can be *streamed* to a client, to *enable* streaming of the target software application.

Accordingly, claim 1 as amended recites:

1. (Currently amended) A method comprising:  
**converting an installation program which is in a non-streamable installation format into a streamable installation program,** the installation program for installing a software application on a computer system; and  
streaming the streamable installation program to a target processing system over a network to cause the installation program to configure the target processing system for execution of the software application. (Emphasis added.)

Holler fails to disclose or even suggest a method such as recited in claim 1, particularly a method which includes *converting* an installation program *which is in a non-streamable installation format* into a *streamable installation program*. Holler generally discloses an optimized server system for generating scalable software applications. As disclosed, the system of Holler creates a Stream Enabled Application Install Block (see paragraphs [0085] – [0086], [0174] and [0428] – [0567]), which is the first set of data to be streamed from the server to client and which contains the information needed by the client system to prepare for the streaming and execution of the particular application. However, assuming *arguendo* the Stream Enabled

Application Install Block can be considered an “installation” program (which Applicants do not concede), it is *not* the result of *converting* any non-streamable *installation program* into a streamable form. The Stream Enabled Application Install Block in Holler is the result of *monitoring* installation and execution of an application (see Holler para. [0429]); it is *not* the result of *converting* any type of *installation program* into another form. For at least this reason, therefore, claim 1 and all claims which depend on it are believed to be patentable over the cited art.

Each of the other independent claims, except for claim 8 (discussed below), contains limitations similar to those discussed above regarding claim 1. Therefore, each of those claims is also believed to be patentable over the cited art along with its dependent claims, at least for reasons similar to those discussed above.

Independent claims 10 and 22 and dependent claims 25, 27, 29 and 31 each further recite that the installation program is in a *standardized* installation format. (Some examples of standardized installation formats include: MSI, per dependent claims 26, 28, 30, 32 and 33; InstallShield; and WISE, as discussed above and in the Background section of the present application.) There is no disclosure or suggestion in Holler of converting a *standardized*, non-streamable *installation program* into a streamable form, or why this would be desirable. Therefore, each of claims 10, 22, 25, 27, 29 and 31 and any claims which depend on them are believed to be further patentable over the cited art for this additional reason.

## Claim 8

Claim 8 recites:

8. (Original) A method comprising:
  - downloading, to a client over a network, **only portions of an installation program**, the installation program for use to install a software application on a computer system, wherein the software application resides on a server;
  - using only said downloaded portions of the installation program on the client to configure the client to execute the software application**, including identifying portions of the software application that are to be download to the client;
  - downloading only said portions of the software application from the server to the client; and
  - executing the software application on the client using only said portions of the software application downloaded to the client. (Emphasis added.)

Holler fails to disclose or even suggest a method such as recited in claim 1, particularly a method which includes downloading *only portions of* (i.e., not all of) an *installation program* to a client, and then using *only the downloaded portions* of the installation program on the client to configure the client to execute the (target) software application. The Office generally cites paragraphs [0015], [0080], [0086] and [0157] as disclosing this functionality (Office Action, p. 9). However, no disclosure or even a suggestion of this functionality is found in those sections or anywhere else in Holler. For at least this reason, therefore, claim 8 and all claims which depend on it are believed to be patentable over the cited art.

## Claim 14

Claim 14 as amended recites:

14. (Currently amended) A method of creating a streaming installation package, the method comprising:

inputting a non-streamable installation package for use in installing a software application on a target system, the non-streaming installation package including a plurality of files;

identifying all of the plurality of files in the non-streamable installation package;

classifying each of the plurality of files according to file type;

creating a dummy installation image that includes a plurality of dummy files representing the plurality of files, based on said file types; and

creating the streaming installation package from the dummy installation image, said streaming installation package being in a form that can be executed on a target system in a streaming mode. (Emphasis added.)

The arguments set forth above regarding claim 1 also apply to claim 14.

In addition, Holler does not disclose or suggest *classifying each of a plurality of files in a non-streamable installation package according to file type*. Holler further does not disclose or suggest *creating a dummy installation image that includes a plurality of dummy files representing the plurality of files, based on said file types*. Holler further does not disclose or suggest *creating the streaming installation package from the dummy installation image, said streaming installation package being in a form that can be executed on a target system in a streaming mode*.

The Office generally cites paragraphs [0173], [0431], [0428] – [0567] and [0605] as disclosing this functionality (Office Action, p. 13). However, no disclosure of this functionality is found in those sections or anywhere else in Holler.

For at least these additional reasons, therefore, claim 14 and all claims which depend on it are believed to be patentable over the cited art.

## Claim 18

Claim 18 as amended recites:

18. (Currently amended) A method of creating a streaming installation package, to be streamed to a target system to configure the target system for execution of a software application in a streaming mode, the method comprising:

    inputting a non-streamable installation package for use in installing the software application, the non-streamable installation package including a plurality of files, including a set of one or more archive files;

    extracting the archive files from the non-streamable installation package;

    creating a list of all of the files in the non-streamable installation package;

    creating a list of streamlets for all of the files in the non-streamable installation package;

    classifying each of the files in the non-streamable installation package as belonging to either a first type or a second type, the first type representing all of the files in the non-streamable installation package which are normally installed on a system for purposes of installing the software application, the second type representing all of the files in the non-streamable installation package which are not of the first type;

    for each file of the first type which is not an archive file, creating a dummy file of the same size with a special header and nullifying all of the other files of the first type;

    creating a dummy archive file for any files of the first type which are contained in an archive file;

    creating a dummy installation image including each said dummy file, each said dummy archive file, and each said file of the second type; and

    creating the streaming installation package to include the dummy installation image, application information and a database, wherein the database contains the software application and indicates a segmenting of the application into streamlets, and wherein the application information represents only the files of the second type in the dummy installation image.

The arguments set forth above regarding claim 1 also apply to claim 18.

In addition, the arguments set forth above regarding claim 14 also apply to claim

18.

Furthermore, Holler does not disclose or suggest *extracting the archive files from the non-streamable installation package*. Holler further does not disclose or suggest creating a dummy archive file for any files of the first type which are contained in an archive file. Holler further does not disclose or suggest creating the streaming installation package to include the dummy installation image, application information and a database, *wherein the application information represents only the files of the second type in the dummy installation image*.

The Office generally cites paragraphs [0085], [0173], [0431], [0428] – [0567] and [0605] as disclosing this functionality (Office Action, pp. 15-16). However, no disclosure of this functionality is found in those sections or anywhere else in Holler.

For at least these additional reasons, therefore, claim 18 and all claims which depend on it are believed to be patentable over the cited art.

### New Claims

New claims 25, 27, 29 and 31 recite that the installation program has a *standardized* installation format. New claims 26, 28, 30, 32 and 33 recite that the *standardized* installation format (which is converted to streamable format) is the *MSI* format. Holler does not disclose or suggest these features. Therefore, these claims are believed to be additionally patentable over the cited art.

### Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent

claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Jordan M. Becker  
Reg. No. 39,602

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025  
(408) 720-8300